

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BECTON, DICKINSON AND COMPANY,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 21-833 (CFC) (JLH)
BECKMAN COULTER, INC.,)	
)	
Defendant.)	

JOINT CLAIM CONSTRUCTION CHART

Pursuant to Paragraph 12 of the Scheduling Order (D.I. 125), Plaintiff Becton, Dickinson and Company (“BD”) and Defendant Beckman Coulter, Inc. (“Beckman”) submit this Joint Claim Construction Chart identifying for the Court certain claim elements of U.S. Patent Nos. 6,683,314 (the “’314 patent”); 7,129,505 (the “’505 patent”); and 7,787,197 (the “’197 Patent”) (collectively, “the Patents-in-Suit”) that at least one party contends need construction, together with the parties’ proposed constructions of the claim language and citations to the supporting intrinsic evidence.¹ The Patents-in-Suit are attached hereto as Exhibits 1-3, respectively. Excerpts from the file histories of each patent are also attached as Exhibits 4-6, respectively, and excerpts from IPR2022-01122 are attached as Exhibit 7.

The terms that remain in dispute are identified below.

¹ The parties reserve the right to rely on intrinsic evidence cited by the opposing party.

I. DISPUTED TERMS**A. '314 patent**

Term	BD's Proposed Construction	BD's Intrinsic Evidence	Beckman's Proposed Construction	Beckman's Intrinsic Evidence
<p>"dichroic mirror"</p> <p>Claims 1-5, 7-14, 16-17, 20-28, 32, 33, 37</p>	<p>No construction needed; plain and ordinary meaning.</p> <p>Alternatively, to the extent construed: "an optical element that selectively reflects and transmits light according to its wavelength"</p>	<p>'314 patent at abstract, 1:25-27, 1:30-39, 1:56-2:16, 2:48-59, 3:16-3:57, 3:64-4:24, 4:30-33, 4:36-44, 4:60-5:2, 5:53-57, 6:26-8:40, 8:48-9:3 figs. 1, 3, 4, 5, 6, 7, 9-11, Claims 1-2, 3-5, 7-10, 18, 21-28 30, 32</p> <p>'314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>'505 patent file history, February 26, 2004; Applicant Amendment</p>	<p>a mirror that reflects light above a certain wavelength and transmits the light below that wavelength, or that reflects light below a certain wavelength and transmits the light above that wavelength</p>	<p>'314 patent at 1:16-2:17, 2:41-59, 2:66-4:45, 6:40-8:40, figs 1, 3, 5, 6, 7, claims 28-31</p> <p>'314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002 Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003 Notice of Allowance at 1-2</p> <p>'505 patent file history, October 27, 2005 Office Action at 1-6</p>

		<p>at 1-6</p> <p>'505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>'505 patent file history, January 17, 2006; Office Action Response at 1-4</p> <p>U.S. Patent 6,317, 207; cited in '314 patent prosecution history, October 16, 2002; Office Action at 1-4.</p> <p>U.S. Patent No. 6,809,804; U.S. Patent Pub. No. 2002/0071121 – both cited in '505 prosecution history, October 27, 2005; Office Action at 1-6</p> <p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S.</p>		
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		<p>Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the '314 and '505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,745,285, 5,032,004, 5,483,469, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the '505 and '314 patent.</p>		
<p>“color decimation means for separating and detecting colors received from the associated detector cluster”</p> <p>Claims 27, 28, 32, 33, 37</p>	<p>The term should be construed under 35 U.S.C. §112 ¶ 6.</p> <p>Function: separating and detecting colors received from the associated detector cluster</p> <p>Structure: beam splitters, as described in cols. 1:56- 2:16, 2:49-59, 3:16-57, 3:64-4:24, 4:30-34, 5:53- 57, 6:26-8:40, 8:48-9:3, and as shown in Fig. 1, elements 25, 34, 38, 44, Fig. 3, elements 58, 64, Fig. 4, elements 123, 125,</p>	<p>'314 patent at title, abstract, 1:25-27, 1:30- 39, 1:56-2:16, 2:48-59, 3:16-3:57, 3:64-4:24, 4:30-33, 4:36-44, 4:60- 5:2, 5:53-57, 6:26- 8:40, 8:48-9:3 figs. 1, 3, 4, 5, 6, 7, 9-11, Claims 1-2, 3-5, 7-10, 18, 21-28 30, 32</p> <p>'314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002; Applicant Amendment</p>	<p>Means-plus-function:</p> <p>Function: simultaneous spectral breakdown of polychromatic light beams from a target substance into narrow bands of light arriving at detectors ('314 patent at 4:30-35)</p> <p>Structure: “dichroic [mirror] beam splitters,” or “a plurality of dichroic mirrors” or “dichroic mirrors” ('314 patent at 1:26-27, 3:64- 67, 4:30-33, 4:60-5:2, 6:40-8:19, fig. 5, fig. 6)</p>	<p>'314 patent at title, abstract, 1:28-2:5, 3:58- 4:45, 4:60-5:2, 6:40- 8:40, figs. 5, 6, 7, claims 28-31</p> <p>'314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002 Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003 Notice of Allowance at</p>

	127, 129, Fig. 5, elements 151, 161, 171, 181, 191, 201, 123, Fig. 6, 123, 211, 213, 215, 217, 219, 221, Fig. 7, elements 200, 123, 213, 217, 221, 211, 215, 219, Figs. 9-11, element 321 and equivalents thereof.	at 1-9 '314 patent file history, February 21, 2003; Notice of Allowance at 1-2 H.M. Shapiro, M.D., "Practical Flow Cytometry," 3 rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the '314 and '505 patent specifications U.S. Patent Nos. 4,599,307, 4,745,285, 5,032,004, 5,483,469, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the '505 and '314 patent.		1-2
"light collector means" Claims 27, 28, 32, 33, 37	The term should be construed under 35 U.S.C. §112 ¶ 6. Function: forming beams	'314 patent at abstract, 1:47-1:58, 2:11-16, 2:30-40, 2:48-59, 3:8-21, 3:38-42, 3:58-67, 4:10-16, 4:25-30, 4:36-	Means-plus-function: Function: collecting fluorescent light into output transfer beams	'314 patent at abstract, 1:28-2:63, 2:67-4:45, 5:58-8:40, 9:4-11:25, figs. 1-7, 15, claims 6, 34, 35

	<p>of fluorescent light with spatial separation, one beam associated with each laser</p> <p>Structure: a lens and/or fiber(s), as described in cols. 1:51-58, 2:6-16, 2:23-40, 2:49-59, 3:8-21, 3:38-42, 3:58-64, 4:14-16, 4:25-30, 4:36-43, 5:53-57, 5:63-6:30, 6:41-45, 7:27-32, 7:37-42, 8:2-5, 9:4-11:25, and as shown in Fig. 1, element 19, Fig. 2, element 51, 111 Fig. 3, element 56, Fig. 4, element 111, Fig. 5-7, element 123, Fig. 15, elements 301-315 ; and equivalents thereof.</p>	<p>45, 5:53-6:49, 7:27-42, 8:2-8, 9:4-11:25, figs. 1-7, 15, Claims 1-3, 6, 9-10. 14, 21, 27-28, 33-34</p> <p>'314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>'505 patent file history, February 26, 2004 Applicant Amendment at 1-6</p> <p>'505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>'505 patent file history, January 17, 2006; Office Action Response at 1-4</p>	<p>while maintaining spatial separation of light stimulated by different sources ('314 patent at abstract, 3:8-13, 3:58-61)</p> <p>Structure: a "microscope objective lens," "aspheric reflective light collector," "a lens similar to a microscopic immersion lens of large numerical aperture," "a group of lens elements which is described with reference to Fig. 15" ('314 patent at abstract, 1:56-58, 2:11-16, 2:22-40, 3:8-13, 4:36-39, 4:51-53, 5:22-23, 5:63-6:20, fig. 2, fig. 15)</p>	<p>'314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002 Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003 Notice of Allowance at 1-2</p>
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		<p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the ’314 and ’505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,745,285, 5,032,004, 5,483,469, 5,805,346, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the ’505 and ’314 patent.</p>		
<p>“light collector”</p> <p>Claims 1-5, 7-14, 16-17, 20-26</p>	<p>Not subject to 35 U.S.C. § 112, ¶ 6</p> <p>No construction needed; plain and ordinary meaning.</p> <p>Alternatively, to the extent construed: “an optical element that</p>	<p>’314 patent at abstract, 1:47-1:58, 2:11-16, 2:30-40, 2:48-59, 3:8- 21, 3:38-42, 3:58-67, 4:10-16, 4:25-30, 4:36- 45, 5:53-6:49, 7:27-42, 8:2-8, 9:4-11:25, figs. 1-7, 15, Claims 1-3, 6, 9-10. 14, 21, 27-28, 33- 34</p>	<p>Means-plus-function:</p> <p>Function: collecting fluorescent light into output transfer beams while maintaining spatial separation of light stimulated by different sources (’314 patent at abstract, 3:8-</p>	<p>’314 patent at abstract, 1:28-2:63, 2:67-4:45, 5:58-8:40, 9:4-11:25, figs. 1-7, 15, claims 6, 34, 35</p> <p>’314 patent file history, October 16, 2002 Office Action at 1-4</p>

	gathers light”	<p>’314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>’314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>’314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>’505 patent file history, February 26, 2004; Applicant Amendment at 1-6</p> <p>’505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>’505 patent file history, January 17, 2006; Office Action Response at 1-4</p> <p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995;</p>	<p>13, 3:58-61)</p> <p>Structure: a “microscope objective lens,” “aspheric reflective light collector,” “a lens similar to a microscopic immersion lens of large numerical aperture,” “a group of lens elements which is described with reference to Fig. 15” (’314 patent at abstract, 1:56-58, 2:11-16, 2:22-40, 4:36-39, 4:51-53, 5:22-23, 5:63-6:20, fig. 2, fig. 15)</p>	<p>’314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>’314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p>
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		<p>International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the '314 and '505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,745,285, 5,032,004, 5,483,469, 5,805,346, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the '505 and '314 patent.</p>		
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B. '505 patent

Term	BD's Proposed Construction	BD's Intrinsic Evidence	Beckman's Proposed Construction	Beckman's Intrinsic Evidence
<p>"A detector apparatus for analyzing light emitted from a fluorescent material, wherein the light is collected by a light collector and formed into an output beam for analysis, comprising"</p> <p>Claims 1-6, 9, 11</p>	<p>The preamble is limiting.</p>	<p>'505 patent at abstract, 1:12-2:67, 3:3-4:50, 5:46-8:45, 9:9-11:30, figs. 1-15, claims 1-11</p> <p>'314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>'505 patent file history, February 26, 2004 Applicant Amendment at 1-6</p> <p>'505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>'505 patent file history,</p>	<p>The preamble is not limiting</p>	<p>'505 patent claims 2-11</p> <p>'314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002 Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003 Notice of Allowance at 1-2</p> <p>'505 patent file history, October 27, 2005 Office Action at 1-6</p>

		<p>January 17, 2006; Office Action Response at 1-4</p> <p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the ’314 and ’505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,727,020, 4,745,285, 5,032,004, 5,483,469, 5,805,346, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the ’505 and ’314 patent.</p>		
<p>“means for collimating said output beam”</p> <p>Claims 1-6, 9, 11</p>	<p>The term should be construed under 35 U.S.C. §112 ¶ 6.</p> <p>Function: collimating said output beam</p>	<p>’505 Patent at Abstract, Fig. 1, Fig. 5, Fig. 6, cols. 1:53-61, 2:57-61, 3:65-4:4, 6:46-54, 7:42-47, Claims 1, 10.</p> <p>’505 patent file history,</p>	<p>Means-plus-function:</p> <p>Function: collimating an output beam of the light collector to make the rays of light of output beam parallel</p>	<p>’505 patent at 1:31-2:9, 6:45-7:3, 7:42-8:45, figs. 1, 5, 6, claim 10</p> <p>’505 patent file history, February 26, 2004 Applicant Amendment</p>

	<p>Structure: a lens, as described in cols. 2:57-61, 6:46-54, 7:42-47, and as shown in Fig. 1, element 19, Fig. 5, element 145, and Fig. 6, element 203; and equivalents thereof</p>	<p>February 26, 2004; Applicant Amendment at 1-6</p> <p>'505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>'505 patent file history, January 17, 2006; Office Action Response at 1-4</p> <p>H.M. Shapiro, M.D., "Practical Flow Cytometry," 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the '314 and '505 patent specifications</p> <p>U.S. Patent Nos. 4,745,285, 5,032,004, 5,483,469, 5,805,346, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the '505 and</p>	<p>Structure: a "collimating lens" ('505 patent at 6:46-48, 7:42-447).</p>	<p>at 1-6</p> <p>'505 patent file history, October 27, 2005 Office Action at 1-6</p>
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		'314 patent.		
<p>"dichroic mirror"</p> <p>Claims 1-6, 9, 11</p>	<p>No construction needed; plain and ordinary meaning.</p> <p>Alternatively, to the extent construed: "an optical element that selectively reflects and transmits light according to its wavelength"</p>	<p>'505 patent at abstract, 1:28-30, 1:33-42, 1:59-2:20, 2:45-63, 3:20-61, 4:1-29, 4:35-38, 4:41-50, 4:66-5:8, 5:58-62, 6:31-8:45, 8:53-9:8, figs. 1, 3, 4, 5, 6, 7, 9-11, Claim 1-9</p> <p>'314 patent file history, October 16, 2002; Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>'505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>'505 patent file history, January 17, 2006; Office Action Response at 1-4</p>	<p>a mirror that reflects light above a certain wavelength and transmits the light below that wavelength, or that reflects light below a certain wavelength and transmits the light above that wavelength</p>	<p>'505 patent at 1:19-2:20, 2:45-63, 3:1-4:50, 6:45-8:45, figs 1, 3, 5, 6, 7, claims 2-9</p> <p>'314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>'314 patent file history, December 13, 2002 Applicant Amendment at 1-9</p> <p>'314 patent file history, February 21, 2003 Notice of Allowance at 1-2</p> <p>'505 patent file history, October 27, 2005 Office Action at 1-6</p>

		<p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S. Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the ’314 and ’505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,727,020, 4,745,285, 5,032,004, 5,483,469, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the ’505 and ’314 patent.</p>		
<p>“light collector” Claims 1-6, 9, 11</p>	<p>Not subject to 35 U.S.C. § 112, ¶ 6</p> <p>No construction needed; plain and ordinary meaning.</p> <p>Alternatively, to the extent construed: “an optical element that</p>	<p>’505 patent at abstract, 1:50-61, 2:15-20, 2:33-44, 2:52-63, 3:12-25, 3:43-46, 3:62-4:4, 4:15-21, 4:30-35, 4:41-50, 5:58-6:54, 7:32-47, 8:7-13, 9:9-11:30, figs. 1-7, 15, claims 1, 10</p> <p>’314 patent file history, October 16, 2002;</p>	<p>To the extent that the preamble is construed to be limiting, means-plus-function:</p> <p>Function: collecting fluorescent light into output transfer beams while maintaining spatial separation of light stimulated by</p>	<p>’505 patent at abstract, 1:31-2:67, 3:3-4:50, 5:63-8:45, 9:9-11:30, figs. 1-7, 15, claims 2-11</p> <p>’314 patent file history, October 16, 2002 Office Action at 1-4</p> <p>’314 patent file history, December 13, 2002</p>

	gathers light”	<p>Office Action at 1-4</p> <p>’314 patent file history, December 13, 2002; Applicant Amendment at 1-9</p> <p>’314 patent file history, February 21, 2003; Notice of Allowance at 1-2</p> <p>’505 patent file history, February 26, 2004 Applicant Amendment at 1-6</p> <p>’505 patent file history, October 27, 2005; Office Action at 1-6</p> <p>’505 patent file history, January 17, 2006; Office Action Response at 1-4</p> <p>H.M. Shapiro, M.D., “Practical Flow Cytometry,” 3rd Edition, 1995; International Patent Publication WO 01/27590 A2; U.S.</p>	<p>different sources (’505 patent at abstract, 3:8-13, 3:62-65)</p> <p>Structure: a “microscope objective lens,” “aspheric reflective light collector,” “a lens similar to a microscopic immersion lens of large numerical aperture,” “a group of lens elements which is described with reference to Fig. 15” (’505 patent at abstract, 1:57-59, 2:15-20, 2:26-44, 4:41-44, 4:57-59, 5:27-28, 6:1-25, fig. 2, fig. 15)</p>	<p>Applicant Amendment at 1-9</p> <p>’314 patent file history, February 21, 2003 Notice of Allowance at 1-2</p>
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		<p>Patent No. 4,727,020; U.S. Patent No. 5,317,162 – all cited in the '314 and '505 patent specifications</p> <p>U.S. Patent Nos. 4,599,307, 4,727,020, 4,745,285, 5,032,004, 5,483,469, 5,805,346, 6,097,485, 6,157,478; U.S. Patent App. Pub. No. 09/853,043; all cited on the face of the '505 and '314 patent.</p>		
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C. '197 patent

Term	BD's Proposed Construction	BD's Intrinsic Evidence	Beckman's Proposed Construction	Beckman's Intrinsic Evidence
<p>“optical analyzer comprising”</p> <p>Claims 1-3, 5-6, 10</p>	<p>The preamble is limiting.</p>	<p>'197 patent at Abstract, Figure 1, Figure 3, 1:10-55, 2:3-29, 2:38-54, 3:38-56, 3:61-4:10, 5:10-60, 6:2-16, 7:24-39, Claims 1-13.</p> <p>U.S. Patent Nos. 4,989,977; 7,468,789; U.S. Patent App. Pub. No. 2005/0112541; Hugo Fellner-Feldegg, “Dual laser Flow Cytometry...” Cytometry, vol. 6: 286-189 (1985.); J.E. de Josselin de Jong et al., “Alignment and Focusing Unit for Dual-Laser Excitation in the Fluorescent-Activated. . . .” Cytometry, vol. 5: 657-659 (1984); all cited on face of the '197 patent.</p> <p>Petition for Inter Partes Review, IPR2022-01122 at 52.</p>	<p>The preamble is not limiting</p>	<p>'197 patent, claims 2-13</p> <p>'197 patent file history, February 24, 2010 Office Action at 1-10</p> <p>'197 patent file history, March 25, 2010 Applicant Amendment at 1-7</p> <p>'197 patent file history, June 11, 2010 Applicant Amendment at 1-5</p> <p>'197 patent file history, June 21, 2010 Examiner's Amendment/Reasons for Allowance at 1-4</p>

		EX1002 in IPR2022-01122 ¶ 154-159. EX1008 in IPR2022-01122.		
“lens” Claims 1-3, 5-6, 10	No construction necessary; plain and ordinary meaning. Alternatively, to the extent construed: “A transmitting optical element with at least one curved surface that alters the trajectory of light.”	’197 patent at Abstract, Figures 1-4, 2:3-3:56, 3:61-4:10, 4:18-5:25, 5:39-60, 6:1-7:21, 7:24-9:53, Claims 1, 3-6. Petition for Inter Partes Review, IPR2022-01122 at 14-15.	pieces of material with a shape such that all rays traversing them converge upon a distant point (or line) having traveled the same optical path length	’197 patent at abstract, 1:56-5:60, 6:1-9:53, figs. 1-4, claims 3-6 ’197 patent file history, February 24, 2010 Office Action at 1-10 ’197 patent file history, March 25, 2010 Applicant Amendment at 1-7 ’197 patent file history, June 11, 2010 Applicant Amendment at 1-5 ’197 patent file history, June 21, 2010 Examiner’s Amendment/Reasons for Allowance at 1-4
“positioning device that allows movement of the beam-adjusting lens in a plane perpendicular to the light path”	Not subject to 35 U.S.C. § 112, ¶ 6, therefore no construction needed.	’197 patent at Abstract, 1:39-67, 2:3-17, 2:38-54, 3:61-4:13, 3:14-27, 5:10-25, 6:2-16, 7:23-39, Claims 1, 5, 6.	Means-plus-function: Function: allowing for movement and repositioning of the lens in a plane perpendicular	’197 patent at abstract, 1:39-2:54, 2:61-3:27, 5:10-25, 6:2-16, 7:22-39, figs. 1-4 ’197 patent file history,

Claims 1-3, 5-6, 10		<p>'197 patent prosecution history, February 24, 2010 non-final rejection at 1-5.</p> <p>U.S. Patent App. Pub. No. 2005/0112541 at Figure 28, [0259]; cited in '197 patent prosecution history, February 24, 2010 non-final rejection at 3-4.</p> <p>U.S. Patent Nos. 4,385,843; 4,447,119; 4,989,977; 5,077,622; 5,813,987; 7,468,789; 7,612,323; U.S. Patent App. Pub. No. 2004/0188393; all cited on the face of the '197 patent.</p> <p>Petition for Inter Partes Review, IPR2022-01122 at 7, 14-15, 39-40, 54-55.</p> <p>EX1002 in IPR2022-01122 ¶¶ 82-84, 86, 101, 110, 121, 144, 158, 159.</p> <p>EX1004, EX1005, and</p>	<p>to the light path ('197 patent at abstract, 2:10-17, 2:38-48, 2:67-3:7, 3:20-27, 5:18-25)</p> <p>Structure: a “differential micrometer” or “screw-type positioning mechanism” ('197 patent at 1:48-55, 2:44-48)</p>	<p>February 24, 2010 Office Action at 1-10</p> <p>'197 patent file history, March 25, 2010 Applicant Amendment at 1-7</p> <p>'197 patent file history, June 11, 2010 Applicant Amendment at 1-5</p> <p>'197 patent file history, June 21, 2010 Examiner's Amendment/Reasons for Allowance at 1-4</p>
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		EX1007 in IPR2022-01122.		
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